

## **NOTICE RE JUDGE PETER H. CARROLL'S PROCEDURES FOR DISPOSITIONS WITHOUT ORAL ARGUMENT AND TENTATIVE RULINGS**

Unless otherwise ordered by the court, the following procedures shall govern dispositions without oral argument and tentative rulings in matters pending before Judge Carroll:

1. Dispositions without oral argument and tentative rulings normally are issued not later than 2:30 p.m. on the day preceding the scheduled hearing.
2. Dispositions without oral argument and tentative rulings may be viewed by checking Judge Carroll's calendar on the court's website. To view the calendar, click on "Tentative Rulings" on the court's website, [www.cacb.uscourts.gov](http://www.cacb.uscourts.gov). Dispositions without oral argument and tentative rulings are also posted outside Courtroom # 304 and placed on counsel tables inside the courtroom.
3. **Dispositions Without Oral Argument.** If the matter has been adequately noticed and no written opposition has been timely filed, the court may decide the matter without oral argument by issuing a "Final Ruling." **NO APPEARANCE IS NECESSARY.** The matter will not be heard by the court. The "Final Ruling" will be appended to the minutes. The "Final Ruling," however, may not be a final adjudication of the merits of a matter. If the parties have agreed to a continuance or have resolved the matter by stipulation, they may so advise the Courtroom Deputy and the "Final Ruling" will be vacated in favor of the continuance or stipulation. Parties who cannot so advise the Courtroom Deputy at or before the hearing must make provision for vacating any order entered by the court based on the "Final Ruling" in the written stipulation or proposed order submitted to the court pursuant to LBR 9021-1(a).
4. **Tentative Rulings.** If written opposition has been timely filed, the court may issue a "Tentative Ruling." Notwithstanding the issuance of a "Tentative Ruling," **APPEARANCES ARE REQUIRED.** The court will call for hearing any matter that has a "Tentative Ruling." The "Tentative Ruling" is subject to change, either as a result of argument presented at the hearing or as a result of further consideration by the court. A moving party's failure to attend the hearing in reliance on a "Tentative Ruling" may result in denial of the motion for failure to prosecute. An opposing party that fails to attend the hearing on a motion that it has opposed will be deemed to have withdrawn its opposition to the relief requested in the motion.
5. Counsel appearing on matters to be called for hearing may arrange to APPEAR TELEPHONICALLY in accordance with Judge Carroll's telephonic appearance procedures. Those appearing telephonically must review and be familiar with the tentative ruling.

6. After the hearing, a proposed order may be (a) submitted electronically via the Lodged Order Upload program (“LOU”) in accordance with the LOU Procedures posted on the court’s website; or (b) deposited in the basket in the rear of the courtroom with the requisite notice of entry, copies and stamped, self-addressed envelopes. **Except as provided by LBR 9021-1(a)(1)(B), a proposed order must not be submitted prior to the hearing absent permission of the court.**
7. Dispositions without oral argument and tentative rulings WILL NOT be issued on the following matters: (a) confirmation hearings in chapter 11, 12 & 13 cases; (b) status conferences; (c) trials; (d) order to show cause hearings; (e) matters set on shortened notice, and (f) reaffirmation agreements set for hearing.